

**Local Rule Changes Regarding E-Filing and E-Working Copies Adopted by King  
County Superior Court on 5/26/09 - Legislative Version:**

**\*\*\*NEW RULE\*\*\***

**LGR 30 MANDATORY ELECTRONIC FILING**

**(b) Electronic Filing.**

**(5) Electronic Filing Is Mandatory.** Effective July 1, 2009, unless this rule provides otherwise, attorneys shall electronically file (e-file) all documents with the Clerk using the Clerk's e-filing system or an electronic service provider that uses the Clerk's e-filing system. Pro se parties are not required to e-file documents.

**(A) Documents That Shall Not Be E-Filed.** Exceptions to mandatory e-filing include the following documents:

- (i) Original wills and codicils, including new probate cases that include original wills or codicils;
- (ii) Certified records of proceedings for purposes of appeal;
- (iii) Documents of foreign governments under official seal including foreign and out of state adoption documents;
- (iv) Documents presented for filing during a court hearing or trial;
- (v) Documents for filing in an Aggravated Murder case; and
- (vi) Documents pertaining to cases filed prior to January 1, 2000;:
- (vii) Administrative Law Review (ALR) Petitions; and
- (viii) Interpleader or Surplus Funds Petitions.

The above-excepted documents must be filed in paper form.

Comment: Negotiable instruments, exhibits, and trial notebooks are examples of items that are not to be filed in the court file either in paper form or by e-filing.

**(B) Documents That May Be E-Filed.** The following documents may be e-filed:

- (i) Voluminous Documents—Voluminous documents of 100 pages or more may be e-filed or filed in paper form.
- (ii) Summary Judgment Motions—Summary judgment motions and supporting documents may be e-filed or filed in paper form.
- (iii) Trial by Affidavit Motions – Motions set on the Trial by Affidavit Calendar and supporting documents may be e-filed or filed in paper form.

**(C) Working Copies for E-Filed Documents.** Judges' working copies for e-filed documents may be electronically submitted to the Clerk using the Clerk's e-filing system and pursuant to LCR 7 unless this rule provides otherwise. The Clerk may assess a fee for the electronic delivery of working copies. Working copies must not be electronically submitted for the following documents:

- (i) Voluminous Documents—Judges' working copies of documents 100 pages or more in length shall be submitted in paper form only. Working copies shall be delivered pursuant to LCR 7, LFLR 6 or the applicable rule for that case type.

(ii) Summary Judgment Motions—Judges’ working copies of summary judgment motions shall be submitted in paper form pursuant to LCR 7.

(iii) Trial by Affidavit Motions – Working copies for motions heard on the Trial by Affidavit Calendar shall be submitted in paper form pursuant to LCR 7.

**(D) Waiver of the Requirement to E-File.** If an attorney is unable to e-file documents, the attorney may request a waiver. The attorney must explain why he or she needs to file paper documents in that particular case. The Clerk will make waiver request forms available. The Clerk will consider each application and provide a written approval or denial to the attorney. The waiver may be for a specific case or for a specific period of time determined by the Clerk. Attorneys who receive a waiver shall file a copy of the waiver in each case in which they file documents. Attorneys who have received a waiver shall place the words “Exempt from e-filing per waiver filed on (date)” in the caption of all paper documents they file for the duration of the waiver.

**(E) Non-Compliance With This Rule.** If an attorney files a document in paper form and does not have an approved waiver from e-filing, the Clerk will assess a fee against the attorney pursuant to King County Code 4.71.100 for each paper document filed.

## **LOCAL CIVIL RULES**

### **LCR 4. CIVIL CASE SCHEDULE**

***(a) Case Schedule.*** Except as otherwise provided in these rules or ordered by the Court, when an initial pleading is filed and a new civil case file is opened, the Clerk will prepare and file a scheduling order (referred to in these rules as a "Case Schedule"). When an initial pleading is filed electronically the Clerk will provide an electronic copy to the party filing the initial pleading. When an initial pleading is filed in via paper form the Clerk will provide two copies to the party filing the initial pleading. When an initial pleading is filed electronically and the filer has agreed to accept electronic documents from the court pursuant to GR 30.2 (c), the Clerk will provide an electronic copy to the party filing the initial pleading.

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***(l) Non-dispositive Pretrial Motions.*** All non-dispositive pretrial motions and supporting materials, including but not limited to motions to exclude evidence, shall be served and filed pursuant to the requirements of LCR 7(b)(3)(A). Responsive documents shall also be served and filed pursuant to the requirements of LCR 7(b)(3)(A). In addition, courtesy working copies of all motion documents shall be provided pursuant to the requirements of LCR 7(b).~~to the Judge who will be hearing the motion.~~

***(m) Trial Briefs, Proposed Findings of Fact and Conclusions of Law, and Jury Instructions.*** Except as otherwise ordered by the Court, parties shall serve copies of the trial brief or memorandum of authorities, proposed findings of fact and conclusions of law in non-jury cases, and proposed jury instructions for jury cases, upon opposing parties, with a working copy submitted to the assigned Judge, no later than five court days before the scheduled trial date.

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## LCR 5. SERVICE AND FILING OF PLEADINGS AND OTHER PAPERS

(a)-(c) *[Reserved]*.

(d) **Filing.** No motion for any order shall be heard unless the original documents pertaining to it have been filed with the Clerk.

(k) **Copies of Cases Not to be Filed.** Working ~~Copies~~ of cases ~~shall~~ may be provided to a judge ~~in working copies,~~ pursuant to LCR 7(b)(3)(B), but shall not be filed with the clerk.

## LCR 7. CIVIL MOTIONS

(b) **Motions and Other Documents.**

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(4) **Dates of Filing, Hearing and Consideration.**

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(C) **Oral Argument Requested on All Other Motions.** Any party may request oral argument by placing "ORAL ARGUMENT REQUESTED" on the upper right ~~hand~~ corner of the first page of the motion or opposition.

(D) **Opposing Documents.** Any party opposing a motion shall file and serve the original responsive papers in opposition to a motion, serve copies on parties, and deliver working copies to the hearing judge ~~via the judges' mailroom in the courthouse in which the judge is located,~~ no later than 12:00 noon two court days before the date the motion is to be considered. Working copies shall be submitted pursuant to the requirements in this rule.

(E) **Reply.** Any documents in strict reply shall be similarly filed and served no later than 12:00 noon on the court day before the hearing.

(F) **Working Copies.** Working copies of the motion and all documents in support or opposition shall be delivered to the hearing judge, commissioner, or appropriate judicial department no later than on the day they are to be served on all parties. Working copies shall be submitted as follows: The working copies shall be marked on the upper right corner of the first page with the date of consideration or hearing and the name of the hearing judge and shall be delivered to the judges' mailroom in the courthouse in which the judge is located.

(i) Electronic Submission of Working Copies. Judges' Working copies of an e-filed motion and all documents in support or opposition shall may be electronically submitted delivered to the hearing judge using the Clerk's e-filing system no later than on the day they are to be served on all parties. The Clerk may assess a fee for the electronic submission of working copies. The working copies shall be marked on the upper right corner of the first page with the date of consideration or hearing and the name of the hearing judge and shall be delivered to the judges' mailroom in the courthouse in which the judge is located.

(ii) E-Filed Documents For Which Working Copies Shall Not Be Electronically Submitted. Judges' working copies shall not be electronically submitted for any document of 100 pages or more in length, summary judgment motions, or for any documents filed in paper form. These working copies must be submitted in paper form pursuant to the requirements in this rule.

**(iii) Delivery of Working Copies in Paper Form.** The upper right corner of all judges' working copies submitted in paper form shall be marked "working copies" and note the date of consideration or hearing, ~~and~~ the name of the hearing judge or commissioner or the name of the calendar on which the motion is to be heard, by whom the documents are being presented ("moving party," "opposing party," or other descriptive or identifying term), and shall be delivered to the judges' mailroom or appropriate department in the courthouse in which the judge or commissioner is located.

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**(5) Form of Motion and Responsive Pleadings.**

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**(C) Form of Proposed Orders; Mailing Envelopes.** The moving party and any party opposing the motion shall attach a proposed order to the working copies of their documents ~~a proposed order~~. The original of each proposed order shall be ~~delivered~~ submitted to the hearing judge but shall not be filed with the Clerk. For motions without oral argument ~~and for which working copies are submitted in paper form~~, the moving party shall also provide the court with pre-addressed stamped envelopes addressed to each party/counsel.

**(D) Presentation by Mail.** Counsel may present agreed orders and ex parte orders based upon the record in the file, addressed either to the court or to the Clerk. When signed, the judge/commissioner will file such order with the Clerk. When rejected, the judge/commissioner may return the papers to the counsel. For agreed orders presented in paper form, Aan addressed stamped envelope shall be provided for return of any conformed materials and/or rejected orders.

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**(8) Motions for Revision of a Commissioner's Order.** For all cases except juvenile and mental illness proceedings:

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(B) A hearing on a motion for revision of a commissioner's order shall be scheduled within 21 days of entry of the commissioner's order, unless the assigned Judge or, for unassigned cases, the Chief Civil Judge, orders otherwise.

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(iii) All motions for revision of a commissioner's order shall be based on the written materials and evidence submitted to the commissioner, including documents and pleadings in the court file. The moving party shall provide the assigned judge a working copy of all materials submitted to the commissioner in support of and in opposition to the motion, as well as a copy of the electronic recording, if the motion before the commissioner was recorded. Oral arguments on motions to revise shall be limited to 10 minutes per side. Working copies shall be submitted pursuant to the requirements of LCR 7(b).

(iv) The commissioner's written order shall remain in effect pending the hearing on revision unless ordered otherwise by the assigned Judge, or, for unassigned cases, the Chief Judge.

(v) The party seeking revision shall, at least 5 days before the hearing, deliver to ~~the judges' mailroom, for~~ the assigned judge or Chief Judge;

working copies of the motion, notice of hearing, and copies of all documents submitted by all parties to the commissioner, pursuant to LCR 7(b).

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## **LCR 16. PRETRIAL DEADLINES AND PROCEDURES**

### ***(a) Pretrial Procedures- Civil Cases and Family Law Cases Not Involving Children.***

**(1) Mandatory Joint Confirmation of Trial Readiness.** Parties shall complete a Joint Confirmation of Trial Readiness form, file it with the clerk, and provide a working copies copy send copies to the assigned judge by the deadline on the case schedule. Failure to complete and file the form by the deadline may result in sanctions, including possible dismissal of this case. The Joint Confirmation of Trial Readiness Report shall include, at minimum:

- (A) Type of trial and estimated trial length;
- (B) Trial week attorney conflicts;
- (C) Interpreter needs;
- (D) To what extent alternative dispute resolution has been used in the case;
- (E) Any other factors to assist the court to bring about a just, speedy, and economical resolution of the matter.

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## **LCR 59. NEW TRIAL, RECONSIDERATION, AND AMENDMENT OF JUDGMENTS**

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**(c) Form of Proposed Order; Mailing Envelopes.** The moving party and any party given leave to file a memorandum in opposition shall attach an original proposed order to their working copies papers submitted to the hearing judge. If the working copies are submitted in paper form, pre-addressed stamped envelopes for each party/counsel shall also be submitted to the hearing judge. Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule. a proposed order. The original of each proposed order, together with pre-addressed stamped envelopes for each party/counsel, shall be delivered to the hearing judge.

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## **LCR 82. CASE ASSIGNMENT AREA**

### ***(e) Location for Court Proceedings for Civil Cases Filed in King County; Filing of Documents and Pleadings and Designation of Case Assignment Area.***

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**(5) Where Pleadings and Documents Filed.** Pursuant to LGR 30, all

pleadings and documents for any civil action in King County must be electronically filed with the Clerk using the Clerk's e-filing system. Documents identified as exceptions to mandatory e-filing Pleadings and documents for any civil action in King County may must be filed in paper form with the Clerk of the Superior Court at any court facility in any case assignment area in the county. Working copies of documents for the judge or commissioner must be submitted pursuant to the requirements of LCR 7(b). Documents filed in electronic form, pursuant to GR 30, must be filed in a manner prescribed by the Clerk. Working copies of documents for the Judge must be delivered to the court facility where the Judge is assigned.

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#### **LCR 93.04 ADOPTION PROCEEDINGS**

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**(d) *Court's Working Copies Papers.*** ~~Courtesy~~ Working copies of pleadings and Notice for Hearing shall be ~~delivered~~ submitted to the hearing judge or commissioner, pursuant to the requirements of LCR 7(b), ~~Judge's mailroom in the courthouse designated for the case~~ no later than 14 days prior to the date set for hearing.

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**(h) *File Review.*** The Adoption Service shall review and forward to the Court the original court file, approved adoption checklist, court docket and working copies ~~papers~~ not less than two court days prior to any properly noted hearing. The Adoption Service shall notify the Court and parties of any deficiencies noted in the court file.

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#### **LCR 98.04 ESTATES-PROBATE-NOTICES**

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**(b) *Clerk's File and Noticed Hearings Required.*** The following matters shall be noted for hearing at least 14 days in advance:

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(6) Working copies of all documents in contested matters and those matters requiring notice must be ~~delivered~~ submitted to the Ex Parte and Probate Department, hearing judge, or commissioner, ~~or the judges' mailroom of the appropriate case assignment area,~~ not later than seven days preceding the hearing. Response documents including briefs, if any, must be filed with the clerk, and copies shall be served on all parties, and working copies shall be submitted ~~delivered~~ to Ex Parte, ~~or the judges' mail room of the appropriate case assignment area~~ the hearing judge, or commissioner, no later than noon four court days prior to the hearing time. Documents in strict reply thereto shall be similarly filed and served no later than noon two court days prior to the hearing. Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule. ~~The upper right hand corner of all working copies shall be marked "working papers" and note the name of the calendar, the date and time of the hearing, and by whom these documents are being presented ("moving party," "opposing party" or other descriptive or identifying term shall be written in).~~

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## LCR 98.16 SETTLEMENT OF CLAIMS OF MINORS AND INCAPACITATED PERSONS

### (a) *Representation.*

(1) **Working Copies Papers.** Working copies of reports of the settlement guardian ad litem, independent counsel, and of the general guardian in regard to the proposed settlement shall be provided to the Ex Parte and Probate Department not later than seven days preceding the hearing. Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule.

(2) **Ex Parte and Probate Department to Hear.** All matters requiring the attention of the Court shall be presented to the Ex Parte and Probate Department.

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## LCR 98.20 GUARDIANSHIPS AND TRUSTS

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(b) ***Service and Filing of Reports (Initial Appointment).*** The report of the guardian ad litem, medical or psychological report, proof of service and other documents offered in support of the petition or in anticipation of the hearing shall be served and filed not less than seven days in advance of the hearing date. Working copies of the guardian ad litem report, medical or psychological report, and any additional affidavits shall be submitted to the Ex Parte and Probate Department, or the appropriate hearing judge or commissioner, served upon the Ex Parte and Probate Department or judges' mail room of the appropriate case assignment area not later than seven days preceding the hearing. Response documents including briefs, if any, must be filed with the clerk, and copies must be served on all parties, and working copies must be submitted delivered to the Ex Parte and Probate Department, or the appropriate hearing judge or commissioner, ~~or to the judges' mail room of the appropriate case assignment area~~ no later than noon four court days prior to the hearing time. Documents in strict reply thereto shall be similarly filed and served no later than noon two court days prior to the hearing. Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule. The upper right hand corner of all working copies shall be marked "working papers" and the name of the calendar, the date and time of the hearing, and by whom these documents are being presented ("moving party," "opposing party," or other descriptive or identifying term).

....

(d) ***Reports and Accountings and Contested or Noted Matters.*** Periodic reports and accountings required of guardians and trustees and other contested or noted matters shall be filed and noted for hearing at least 14 days before the scheduled date. Working copies of all reports, accountings, and contested matters otherwise noted or requiring notice must be ~~delivered~~ submitted to the Ex Parte and Probate Department, or the appropriate hearing judge or commissioner, judges' mailroom of the appropriate case assignment area not later than seven days preceding the hearing. Response documents, including briefs, if any, must be filed with the clerk and copies served on all parties and ~~delivered~~ submitted to the Ex Parte and Probate Department, or the appropriate hearing

~~judge or commissioner, judges' mailroom of the appropriate case assignment area no later than noon four court days prior to the hearing time; documents in strict reply thereto shall be similarly filed and served no later than noon two court days prior to the hearing. Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule. The upper right hand corner of all working copies shall be marked "working papers" and the name of the calendar, the date and time of the hearing, and by whom these documents are being presented ("moving party," opposing party," or other descriptive or identifying term) shall be written in.~~

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## **LOCAL FAMILY LAW RULES**

### **LFLR 6. FAMILY LAW MOTIONS CALENDAR PROCEDURES.**

(a) *Applicability.* This rule applies to the family law motions calendar only and does not apply to motions before judges.

(b) *Notice and Hearing.*

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(2) The original of the motion together with all supporting documents (including briefs, affidavits and/or declarations pursuant to RCW 9A.72.085) must be filed with the Clerk and copies served on all parties at least fourteen (14) calendar days before the date of the hearing. Response documents including briefs, if any, must be filed with the Clerk and copies served on all parties no later than ~~by~~ noon four (4) court days prior to the hearing time; and documents in strict reply thereto shall be similarly filed and served no later than ~~12:00~~ noon two (2) court days prior to the hearing.

(3) An additional "working copy" of all documents shall be ~~delivered~~ submitted to the Family ~~Court~~ Law Motions Coordinator no later than noon three (3) court days prior to the hearing, except that documents in strict reply may be ~~delivered~~ submitted by noon two (2) court days prior to the hearing. ~~Parties shall clearly label the upper right hand corner of each copy delivered to the Family Law Motions Coordinator with the words "Working Papers" and the name of the calendar, the hearing date and time, and whose papers they are ("moving party", "opposing party" or other descriptive or identifying term).~~ For any motion which requests the modification, adjustment, clarification, enforcement (including contempt), reconsideration or vacation of an earlier order, the working copies ~~papers~~ shall include a copy of the earlier order. Working copies shall be submitted to the Family Law Department pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule.

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(c) *Confirmations.*

(2) Motions cannot be confirmed in person, by telephone or via the website unless the moving party's working copies ~~papers~~ have been received ~~in~~ by the Family Law Department.

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(e) *Limitations on Declarations.*



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**(3) Formats:**

(A) All motions shall follow LCR 7 and LCR 10 to the extent they are not inconsistent with this rule, and use the forms required by LFLR 3.

(B) All filed documents and copies provided as working copies “Working Papers” and served on other parties and attorneys shall be legible. If typed or computer printed, documents shall be in 12 point or larger type, double-spaced between the lines and conform to LR 10.

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**(f) Time for Argument.**

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(2) By written stipulation of all parties, any motion except a motion for contempt may be set without oral argument.

(A) Motions heard without oral argument shall be set for a specific date and are subject to the same requirements (including confirmation) as other motions.

(B) Each party shall provide working ~~copies~~ papers including a proposed order(s) and shall timely serve the opposing party. Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule. Parties submitting working copies in paper form shall also conspicuously include mark working papers with the words “Without Oral Argument” in the upper right hand corner of each document and ~~The moving party~~ the moving party shall provide stamped envelopes addressed to each party/counsel, ~~and each party shall provide a proposed order(s) with the working papers.~~

(C) The commissioner may order the parties to appear for argument.

**(g) Special Settings.**

**(1) Additional time for argument.** A request for a special setting for oral argument that will require more than five minutes per side, or for other special settings shall be made in writing addressed to the Family Law Motions Coordinator.

(A) The request should state the extraordinary features of the case and explain why additional time for oral argument is needed. The request should state the length of time requested, and whether the other parties agree with the request. The written request shall include working copies of the motion and supporting documents, and all responses received.

(B) The written request shall be filed with the Clerk and working copies shall be submitted ~~delivered~~ to the Family Law Coordinator, and served on all other parties at least six (6) court days prior to the scheduled hearing date. Any response to the request shall be similarly filed and delivered to the Coordinator and other parties by noon at least two (2) court days prior to the scheduled hearing date. Replies are not permitted. Working copies shall be submitted to the Family Law Department pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule.

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**LFLR 14. CHILD SUPPORT AND SPOUSAL MAINTENANCE  
MODIFICATIONS AND ADJUSTMENTS.**

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**(c) Motions.**

**(1) Pre-trial Motions re Support-only Modifications.** All pre-trial motions relating to support-only modifications, including motions to change the trial date, to permit testimony, or relating to discovery, shall be decided on the Trial by Affidavit Calendar without oral argument. Motions shall be noted for hearing fourteen (14) or more days in advance. The procedure for such motions shall conform to LCR 7 and LFLR 6 to the extent not inconsistent with this rule. There is no requirement to confirm such motions. Motion documents shall be filed with the Clerk and working copies shall be provided to the court. Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule, with an additional copy marked "working papers" delivered to the clerk's e-filing web site for e filed documents or for hard copy documents, the Working copies submitted in paper form must be delivered to the Trial by Affidavit mailbox in the judges' mailroom of the Courthouse where the matter will be heard.

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**(d) Method of Disposition of Support Modification Proceedings.**

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**(2) Proposed Orders.** The petitioning party is obliged to provide proposed findings of fact and conclusions of law, child support worksheets, and orders to the other parties and the court not later than the time of trial. The proposed orders shall not be filed with the clerk. Working copies of the proposed orders for the judge shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule. If the petitioner is not present and has not presented proposed orders, the matter may be dismissed.

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**(7) Trial by Affidavit Procedure.** Parties shall file the originals of all documents to be considered with the Clerk. Settings on the Trial by Affidavit Calendar must be confirmed by the delivery submission of a copy of these materials either in paper form to the Trial by Affidavit mailbox at the courthouse where the matter will be heard or electronically through the Clerk's e-filing system by the deadline in the case schedule. Each party to the proceeding will have a maximum of ten (10) minutes, including rebuttal, to present oral argument to the court. No new evidence may be offered at the time of trial unless stipulated by the parties or authorized by the court for good cause shown. Parties may attend the trial by telephone, provided that prior arrangements have been made with the court. A party is not obligated to attend the hearing.

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## **LOCAL CRIMINAL RULES**

### **LCrR 5.1 COMMENCEMENT OF ACTIONS; CASE ASSIGNMENT AREA**

**(d) Location for Court Proceedings for Criminal Cases Filed in King County; Filing of Documents and Pleadings and Designation of Case Assignment Area.**

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**(4) Where Pleadings and Documents Filed.** Pursuant to LGR 30, all pleadings and documents for any criminal action in King County must be electronically filed with the Clerk using the Clerk's e-filing system. Documents identified as exceptions to mandatory e-filing ~~Pleadings and documents in paper form for any criminal action in King County shall~~ must be filed in paper form with the Clerk of the Superior Court at the court facility in the case assignment area of the case. ~~Documents filed in electronic form, pursuant to GR 30, must be filed in a manner prescribed by the Clerk.~~ Service of documents on the Prosecuting Attorney and the defendant's attorney shall be made at the office of the Prosecutor and defense attorney located in the case assignment area of the case at the time of service.

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## **LCrR 7.1 PRESENTENCE INVESTIGATION**

**(a) When Required; Time of Service.** Unless otherwise directed by the court, in all cases where a person is to be sentenced for commission of a felony, the prosecuting attorney and the defendant's attorney shall, not less than three days before the sentencing date, serve a copy of his/her presentence report upon the opposing party and the original to the sentencing judge. The Department of Corrections shall serve a copy of its report when ordered upon the prosecuting attorney and the defense attorney and the original to the sentencing judge not less than three days before the sentencing date.

**(b) Penalties for Violation.** A violation of this rule may result in the refusal of the court to proceed with the sentencing until after reports have been filed as directed herein, and in the imposition of terms; or the court may proceed to impose sentence without regard to the violation.

**(c) Working Copies.** Any party requesting that the court impose an exceptional sentence shall serve a working copy of the proposed findings in support of the request for an exceptional sentence to the court and opposing counsel no later than seven days before the date scheduled for sentencing. Working copies shall be submitted pursuant to LCR 7(b) to the extent not inconsistent with this rule.

## **LOCAL JUVENILE COURT RULES**

### **LJuCR 3.2 WHO MAY FILE PETITION--VENUE**

**(a) Who May File.** Any person may file a petition alleging dependency.

**(b) Venue.** The petition shall be filed in the county where the juvenile is located or where the juvenile resides.

**(c) Location for court proceedings for dependency actions filed in King County; filing of documents and pleadings and designation of case assignment area.**

....

**(4) Where Pleadings and Documents Filed.** Pursuant to LGR 30, all pleadings and documents ~~in paper form~~ for any dependency proceeding in King County ~~shall~~ must be electronically filed with the Clerk of the Superior Court using the Clerk's e-filing system. Documents identified as exceptions to mandatory e-filing must be filed in paper form at

the court facility in the case assignment area of the case. ~~Documents filed in electronic form, pursuant to GR 30, must be filed in a manner prescribed by the clerk. Working copies must be provided for the judge pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule, must be delivered to the clerk's e-filing web site court facility where the judge is assigned.~~

**(5) Inclusion of Case Assignment Area Code.** All pleadings and documents shall contain after the cause number the case assignment ~~area~~ designation code assigned by the Clerk for the case assignment area in which court proceedings are to be held. The Clerk may reject pleadings or documents that do not contain this case assignment area code.

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### **LJuCR 3.8 DISPOSITION HEARING**

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#### **(b) Agency Reports.**

(1) The petitioner or supervising agency and CASA shall submit a report regarding a long range plan in accordance with RCW 13.34.120 and .130 clearly stating goals for the next six months. The parent, guardian, or legal custodian may also file a report to aid the court in disposition. In those disposition hearings set before a particular judge, working copies of all reports shall be provided to the ~~bailiff for that judge~~ two court days prior to the hearing. Judicial working copies shall be submitted pursuant to LCR 7(b) to the extent not inconsistent with this rule. Copies shall be served on counsel and parties six court days prior to the disposition hearing. Unless otherwise ordered by the Court, no written response is required. However, if provided, it shall be served two court days prior to the hearing.

(2) No report shall be submitted to the Court prior to the fact- finding hearing, but shall be served on the parties and counsel as required by this section.

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### **LJuCR 3.10 CONTESTED DEPENDENCY MOTIONS**

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#### **(c) Motions Format and Procedures.**

**(1) Motions to Be in Writing.** Motions must be in writing dated and signed by the attorney or party.

**(2) Motions Documents and Notes—Time and Place for Filing and Scheduling.**

(i) Any party desiring to bring a motion for a contested hearing shall file with the Clerk and serve upon all parties at least 14 days before the date fixed for such hearing, the motion together with all supporting documents including affidavits and a note for the motion calendar. The note must contain the title of the Court; the Clerk's number and a title of the cause; the designation "Juvenile Dependency Motions"; the date and time when the same shall be heard; the words "Note For Motion Calendar"; the names, addresses and telephone numbers of attorneys for all parties; the nature of the

motion; and by whom made. This note shall be signed by the attorney or party filing the same, with the designation of party represented.

(ii) Working Copies of the note and motion together with all supporting documents including affidavits shall be ~~served on~~ submitted to the Juvenile Court Coordinator's Office at the time the moving party notes the hearing.

(iii) Responsive documents and briefs shall be filed with the Clerk and working copies served on all parties and the Court Coordinator's Office no later than noon seven days prior to the hearing; and documents in strict reply thereto shall be similarly filed and served no later than noon of the second court day prior to the hearing. All responsive documents shall have the hearing date noted on the upper right ~~hand~~-corner. Working copies shall be submitted pursuant to LCR 7(b) to the extent not inconsistent with this rule

....

(d) ***Motion—Contents of.*** A motion for a contested hearing must conform to the following format:

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(6) **Proposed Order.** A copy of a proposed ~~form of an order, which the Court may adopt, modify, or reject consistent with the decision of the Court~~ shall be served with the motion and shall be included with the working copies ~~papers~~ provided for the Court. The original of the proposed order shall not be filed with the Clerk, nor included with the working copies ~~papers~~ for the Court, but brought to the hearing by the moving party.

(e) ***Striking Hearing or Changing Hearing Date.*** A contested dependency motion hearing may be stricken, or the hearing date changed, in the following manner:

(1) **Striking Hearing.** A hearing on a contested dependency motion may be stricken at any time by the moving party, unless another party has previously filed and served a motion to expand issues under LJUCR 3.9(d)(1)(A). Notice that the motion hearing is being stricken shall be given to all parties not later than noon on the day before the scheduled hearing by the means most likely to give actual notice to the party or person in question. Such notice shall be confirmed by filing with the Clerk a Note for Calendar indicating that the hearing has been stricken and serving the notice on all parties. The Note for Calendar should be filed by noon on the business day before the date of the hearing and should be served on the Court Coordinator for distribution to the Judge or Court Commissioner scheduled to hear the matter.

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(g) ***Motion for Oral Testimony.*** A party seeking authority to present oral testimony must file a motion requesting oral testimony together with affidavits setting forth the reasons testimony is necessary to a just adjudication of the issues.

(1) The motion for oral testimony shall be filed before or at the time the motion or response of that party is being filed and shall be decided without oral argument. Working copies ~~papers~~ of these materials must also be submitted to the Judge assigned to the calendar on which the motion is set and that Judge will determine whether oral testimony will be allowed and/or set out any limitations without oral argument. Working copies shall be submitted to the Judge pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule.

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### **LJuCR 3.12 RECONSIDERATION AND REVISION**

**(a) *Reconsideration: Presentation of Orders.***

**(1) Filing.** Motions for reconsideration and all pleadings and documents in support thereof must be filed and served on opposing parties and working copies must be delivered to the hearing Judge or commissioner within ten days of the Court's written decision. The motion must set forth specific grounds for the reconsideration and the arguments and authorities therefore. Working copies shall be submitted to the Judge pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule.

**(2) Response.** The opposing party has ten days after receipt of the motion and supporting materials to file documents in opposition. A copy of said pleading and documents must be served on the moving party and working copies delivered to the hearing Judge or commissioner within ten days after receipt of the motion for reconsideration.

**(3) Proposed Order.** Each of the parties must include in the ~~materials~~ working copies submitted to the hearing Judge or commissioner a proposed order sustaining his/her side of the argument. If the working copies are submitted in paper form, Sshould any party desire a copy of the order signed and filed by the Judge, a pre-addressed, stamped envelope shall accompany the proposed order.

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### **LJuCR 7.12 PLEA AND DISPOSITION HEARING**

**(a)** A plea and disposition hearing shall be set not more than three weeks after the date of the case setting hearing if the juvenile is out of custody or two weeks after the case setting hearing if the juvenile is detained.

**(b)** Probation officers shall provide the prosecutor and defense counsel with a copy of their written disposition recommendation at least two days prior to the disposition hearing.

**(c)** Working copies of Aall written material to be considered by the Court at the disposition hearing shall be submitted to the Court by noon on the next court day prior to the hearing. Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule.

### **LJuCR 11.23 REVISION OF COURT COMMISSIONER'S RULING**

**(a) *Service and Filing of Motion.*** A motion for revision of a Commissioner's order shall be served and filed within ten (10) days of entry of the written order, as provided in RCW 2.24.050, and noted for consideration within twenty-four (24) days of entry of the Commissioner's order. A written note for motion must be provided to all other parties with at least fourteen (14) days notice of the date and place that the motion for revision will be considered. The motion must set forth specific grounds for revision and the arguments and authorities therefore, and it shall be noted without oral argument.

**(b) *Providing Copies to the Judge.*** The party seeking revision must provide the designated dependency Judge with working copies of the motion, the note for motion,

and all paperwork originally submitted by all parties to the Commissioner. The moving party must also provide a copy of the Commissioner's order, a proposed Order on Revision and, if submitting the working copies in paper form, pre-addressed stamped envelopes for each counsel/party. Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule. The designated dependency Judge shall rule on the motion for revision or assign the motion to another judge according to court administration policy. If assigned to another judge, all parties will be provided notice of the reassignment by the bailiff or clerk of the Judge to which the motion has been reassigned.

**(c) *Providing Copies to the Coordinator.*** Copies of the motion, note for motion, and supporting paperwork shall also be provided to the office of the juvenile court coordinator. When a hearing has been tape recorded, the coordinator shall notify the clerk and request a copy of the audio or video tape of the hearing. The copy shall be provided by the clerk to the coordinator within two days of the clerk's receipt of the request and shall be available in the office of the court coordinator for a period of one week following the filing of a motion for revision of a Court Commissioner's ruling. Unless an objection is filed to that recording within one week following the demand for revision, the recording shall be deemed certified as the record for revision, together with the legal files in the case. The taped recording of the hearing and the legal files shall be promptly transmitted by the court coordinator to the designated Judge hearing the motion for revision.

**(d) *Responsive Document.*** Responsive documents must be served, filed, and working copies submitted to the hearing Judge no later than 12:00 noon, seven (7) days before the motion is to be decided. Any documents in strict reply are due no later than 12:00 noon, two (2) days before the motion is to be decided. Working copies shall be submitted to the hearing judge pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule.

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## **LJuCR 12.1 TRUANCY CASE ASSIGNMENT AREA**

**(e) *Location for Court Proceedings for Truancy Cases Filed in King County; Filing of Documents and Pleadings and Designation of Case Assignment Area.***

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**(5) *Where Pleadings and Documents Filed.*** Pursuant to LGR 30, all Ppleadings and documents in paper form for any truancy action in King County shall must be electronically filed with the Clerk of the Superior Court using the Clerk's e-filing system. Documents identified as exceptions to mandatory e-filing must be filed in paper form at the court facility in the case assignment area of the case. Documents filed in electronic form, pursuant to GR 30, must be filed in a manner prescribed by the Clerk.

## **LOCAL RULES FOR RALJ**

### **KCLRALJ 8.3 TIME ALLOWED AND ORDER OF ARGUMENT**

Each side shall be allowed ten minutes for oral argument. The first party to file a notice of appeal is entitled to open and conclude oral argument, unless otherwise ordered by the Court. A respondent who has not served and filed a brief seven days in advance of the scheduled hearing date will not be permitted to make oral argument.

Each of the parties shall deliver a ~~courtesy~~ working copy of its brief to the hearing Judge no later than noon of the day before the argument. ~~The date of the argument shall be noted on the brief cover sheet.~~ Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule.

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